

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

LEMYRON BISHOP,

Plaintiff,

vs.

No. 2:19-cv-00833-KWR-GBW

FEDERAL GOVERNMENT
(AS A WHOLE),

Defendant.

ORDER STRIKING PLAINTIFF’S RELIEF ORDER [DOC. 14]

THIS MATTER came before the Court upon a Relief Order filed by Plaintiff, LeMyron Bishop. (Doc. 14). The Court having reviewed the pleading and being fully advised in the premises therein **FINDS AS FOLLOWS:**

1. Fed. R. Civ. P. 7(a) specifically provides that only the following pleadings are allowed to be filed by a party, to-wit:

“(1) a complaint; (2) an answer to a complaint; (3) an answer to a counterclaim designated as a counterclaim; (4) an answer to a crossclaim; (5) a third-party complaint; (6) an answer to a third-party complaint; and (7) if the court orders one, a reply to an answer.”

2. Plaintiff does not comply with Fed. R. Civ. P. 7(a) in *both* specifying which type of allowable pleading he is filing *and* by designating his pleading as a “Relief Order” which is not an allowable filing under the Rule.

3. Furthermore, pursuant to Fed. R. Civ. P. 7(b)(1): “A request for a court order must be made by motion.” Specifically, the Rule states:

“The motion must: (a) be in writing unless made during a hearing or trial; (b) state with particularity the grounds for seeking the order; (c) state the relief sought.”

4. Plaintiff fails to meet all of the requirements of Fed. R. Civ. P. 7(b)(1) simply titling the document “Relief Order” without stating with particularity the grounds upon which he is filing his pleading and the relief he seeks from the Court.

THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:

1. The Relief Order filed by Plaintiff, LeMyron Bishop, is **HEREBY STRICKEN** for failure to comply with Fed. R. Civ. P. 7(a) through (b)(1).

IT IS SO ORDERED.



UNITED STATES DISTRICT JUDGE
KEA W. RIGGS